

APPENDIX B

NATIONAL PLAN PLANNING AND MANAGEMENT PROCESS

B.1 Historical Background

In the early 1980s, coordination and communication among local, state, and federal public safety agencies became an important topic of discussion within the Federal Government. This discussion stemmed, in part, from two major disasters that occurred contemporaneously in January 1982: an Air Florida jet crash and a city metrorail train derailment. Each disaster occurred in Washington, D.C., within miles of one another. A winter storm passing through the region at the time of both tragedies added even more complications and hindered rescue efforts. Communication links quickly became overcrowded, and coordination among the many emergency personnel became impossible. These tragic events alerted the Federal Government that public safety communications had become inadequate and additional spectrum was needed for public safety services. These events also highlighted the problem of interoperability among local, state, and federal agencies. During these events, local, state, and federal public safety agencies from multiple jurisdictions were forced to borrow radios from one another to coordinate combined efforts. Recently, events such as the Oklahoma City bombing and the TWA Flight 800 crash have further emphasized a need for interoperability among various public safety agencies.

In an apparent response to the Air Florida disaster, Congress passed the Federal Communications Commission Authorization Act in 1983. The Act directed the Federal Communications Commission (FCC) to “develop a plan to ensure that the present and future electromagnetic spectrum requirements of state and local public safety authorities are considered in the allocation of available spectrum.” Specifically, Congress tasked the FCC to review the current and future requirements of public safety authorities and to consider the need for a nationwide spectrum allocation. In response to this directive, the FCC issued a *Notice of Inquiry in the Matter of Future Public Safety Telecommunications Requirements (Public Safety Requirements NOI)* on March 7, 1984, to solicit comments from the public safety community and all other interested parties. The *Public Safety Requirements NOI* addressed three main issues: present and future public safety communication requirements; emerging technological advances that could conceivably be used in support of public safety entities; and coordination of local, state, and federal communications concerns. Based on the comments received, the FCC decided to dedicate additional spectrum for use by the public safety community.

On July 24, 1986, the FCC adopted a *Report and Order (Allocation R&O)* that allocated 6 MHz of spectrum for public safety use. This directive allocated the 821–824/866–869 MHz bands nationwide. This band was chosen because of its availability and proximity to the existing frequency bands used by the public safety community (806–821/851–866 MHz). The FCC hoped selecting frequency bands close to the existing public safety spectrum would allow interoperability with existing public safety communications systems. As a stipulation of the *Allocation R&O* directive, the FCC prohibited any use of the new frequencies until a “National Plan” was developed to provide guidelines to ensure efficient use of the available spectrum. In developing the plan, the FCC decided to seek guidance from the public safety community and any interested members of the public.

B.2 The Formation of NPSPAC

To coordinate its efforts and to ensure the involvement of public safety entities in the development of the National Plan, the FCC formed the National Public Safety Planning Advisory Committee (NPSPAC) in December 1986. To facilitate participation, membership in NPSPAC was open, and all interested parties were encouraged to attend the meetings. The FCC set forth the following goals for the NPSPAC:

- Identify communications requirements of public safety services
- Develop a scheme for efficient use of the new spectrum
- Increase the utility of existing public safety spectrum
- Recommend a method to apply new technologies to public safety spectrum
- Recommend guidelines to ensure compliance with the National Plan.

As a result of the NPSPAC's important role, the channels that became available within the new 6 MHz of spectrum are commonly referred to as the "NPSPAC channels." After its third meeting, the NPSPAC submitted to the FCC its preliminary findings in the form of the *Initial Report* in March 1987.

B.3 Notice of Proposed Rule Making

The NPSPAC findings prompted the FCC, in May 1987, to issue a *Notice of Proposed Rule Making in the Matter of the Development and Implementation of a Public Safety National Plan and Amendment of Part 90 to Establish Service Rules and Technical Standards for Use of the 821-824/866-869 MHz Bands by the Public Safety Services (National Plan NPRM)*. The *National Plan NPRM* was based mainly on the NPSPAC *Initial Report* and it envisioned the National Plan "as a spectrum management scheme, including policy guidelines, technical standards, and procedures to satisfy public safety communications requirements for the foreseeable future." The *National Plan NPRM* also set forth two broad objectives for the National Plan: (1) facilitate interoperability among communications systems so local, state, and federal agencies may coordinate their activities as necessary, and (2) ensure the available public safety spectrum is used efficiently. To realize these goals, the *National Plan NPRM* proposed a set of initial policies and a plan of implementation to expedite the entire process.

The *National Plan NPRM*, based on the recommendations stated within the NPSPAC report, recommended the United States be divided into regions, each of which would be instructed to develop a regional plan. Regional plans would provide local implementation strategies for using the newly allocated 800 MHz spectrum. The *National Plan NPRM* also recommended that each region include several technical standards as part of its regional plan.

This implementation strategy and the technical guidelines to standardize the formation of regional plans formed the basis of the National Public Safety Plan.

B.4 Purpose of the National Public Safety Plan

The National Public Safety Plan, or National Plan, as it is commonly known, was intended to establish common elements, technical standards, and procedural guidelines for regional committees to observe in developing regional plans. These regulations, however, were not intended to be so restrictive that they would inhibit regional committees' freedom in developing regional plans. Regional committees were allowed to identify their system's specific users and their region's spectrum requirements within its regional plan. The rationale for allowing such freedom among the regional committees was fulfilling the FCC's "primary regulatory objectives of maximizing spectrum efficiency and ensuring the system has sufficient flexibility to accommodate the wide variety of specific communication requirements in different areas of the country."

B.5 Creation of the National Public Safety Plan

After the *National Plan NPRM* was issued, the FCC solicited comments from the public safety community, government agencies, and the commercial industry. In September 1987, NPSPAC issued its *Final Report on Public Safety*. Using the findings of the NPSPAC *Final Report* and the numerous comments received, the FCC issued a *Report and Order in the Matter of the Development and Implementation of a Public Safety National Plan and Amendment of Part 90 to Establish Service Rules and Technical Standards for Use of the 821-824/866-869 MHz Bands by the Public Safety Services (National Plan R&O)* in December 1987. The *National Plan R&O* adopted the official rules and regulations that comprised the National Public Safety Plan.

To realize the overall goals of improved interoperability among public safety entities and efficient use of available spectrum, the National Plan proposed several general regulations, or "technical standards." To understand the regulations presented in the National Plan, it is beneficial to understand not only the basic philosophy behind each regulation, but also its ramifications to the public safety community. To understand the possible effects of each element of the National Plan, it is prudent to examine the comments submitted nationwide. Therefore, to obtain at least a small sampling of opinion from the public safety community, it is advantageous to examine these comments quantitatively and qualitatively.

Because very few individuals commented on every element or regulation of the National Plan, a variable that must be considered in the analysis of these comments is the number of responses received for each plan element. For example, more individuals provided comments on the topic of mandated trunking than the topic of loading standards. Thus, it could be deduced that mandated trunking is a more important topic in the eyes of those public safety entities and individuals providing comments than the topic of loading standards. This fact itself provides useful information about the perceived importance or controversy of specific elements of the National Plan.

Figure B-1 illustrates those regions that contain entities from which comments to the *National Plan NPRM* and the *National Plan R&O* were obtained. Table B-1 lists the position titles of individuals from whom these comments were obtained. Only those comments from regional public safety entities have been included within the analysis. Commercial industry comments were excluded because they were considered to be comments from special interest groups and were not grouped with comments received from the public safety community.

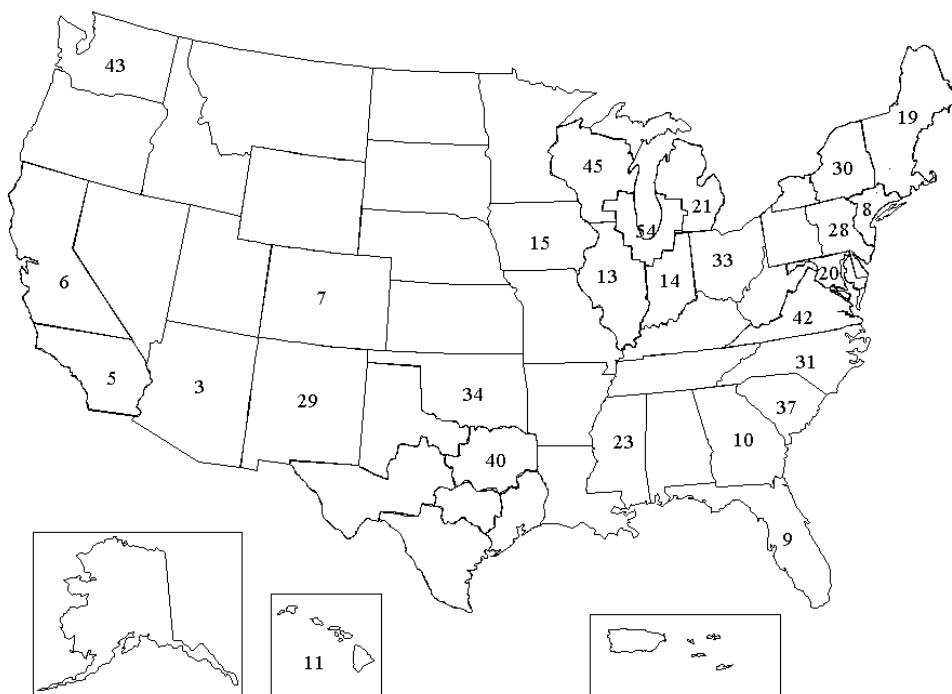


Figure B-1
Regions Providing Comments to the *National Plan NPRM* and the *National Plan R&O*

Figure B-2 presents an overview of the comments received in reference to the National Plan. The comments have been organized according to the National Plan technical standard to which each comment refers. The data presented in this figure, in conjunction with specific qualitative comments, are referred to within the next section as each technical standard/guideline is presented.

Table B-1
Breakdown of Individuals Providing Comments to the *National Plan NPRM*
and the *National Plan R&O*

POSITION TITLE	QUANTITY
City or County Communications Director	21
Sheriff's Department Communications Officer	3
Fire Department Communications Director	1
Police Department Communications Director	4
Chief of Police	22
City or County Telecommunications Engineer	1
Chairman Regional Planning Committee	1
Fire Department Chief	1
State Police Communications Director	2
Regional Peace Officer's Association, President	2
Regional Department of Transportation Director	1

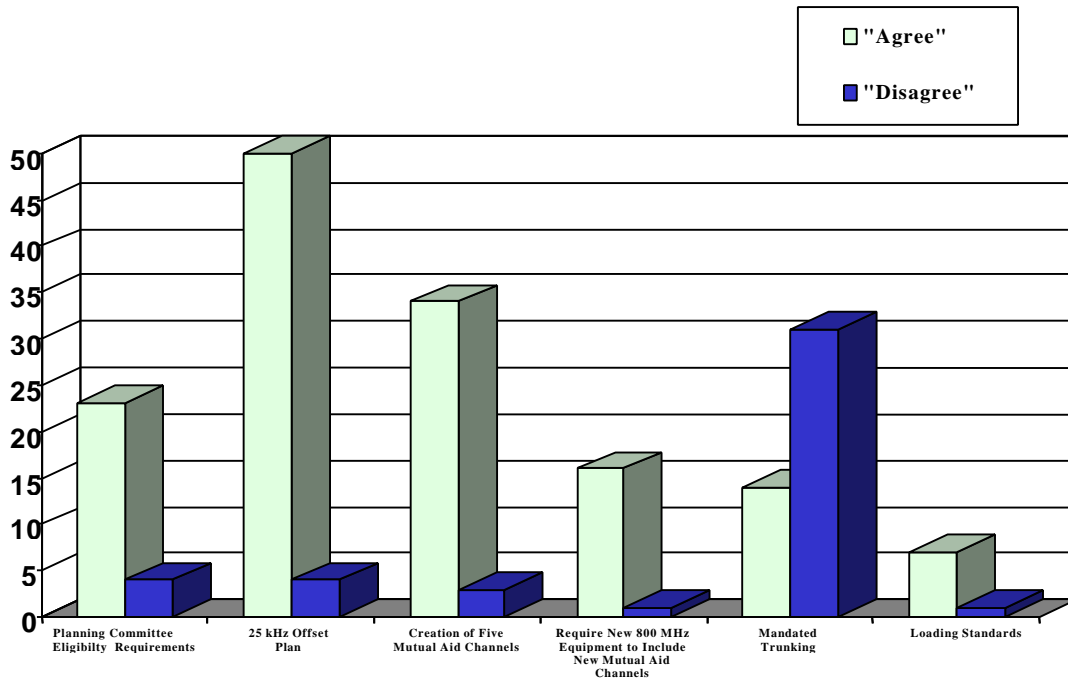


Figure B-2
Graphical Breakdown of Comments to the *National Plan NPRM* and the *National Plan R&O*

B.6 The Content of the National Public Safety Plan

The following sections describe the content of the National Public Safety Plan.

B.6.1 Technical Standards Presented in the National Public Safety Plan

The National Plan proposed technical standards addressing several major areas of concern. The following sections provide a brief description of these technical standards, along with the public safety community's reaction to each standard. These standards are as follows:

- Channeling Plan
- Mutual Aid Channels
- Trunking
- Loading Standards
- Eligibility in the National Public Safety Plan Process.

Channeling Plan. The National Plan recommends a channeling plan based on 25 kHz channels spaced every 12.5 kHz. This configuration has often been referred to as the 25 kHz offset plan. The *National Plan NPRM* proposed a channeling plan that consisted of 12.5 kHz channels that could be stacked, if needed, to provide 25 kHz of bandwidth. Some public safety entities require 25 kHz channels to support encryption technology and high-speed digital data transfer technology. The NPSPAC, in conjunction with these entities, argued strongly against the 12.5 kHz plan. Based on independent studies, NPSPAC demonstrated that the 25 kHz offset plan was nearly as spectrally efficient as the proposed 12.5 kHz channeling plan. The NPSPAC also argued that if the 12.5 kHz plan were adopted, much of the current equipment being used by public safety entities would be incompatible with the 12.5 kHz configuration and would have to be replaced to provide interoperability between the new and old systems. Public safety entities nationwide agreed with the findings of the NPSPAC. This overall concurrence prompted the FCC to modify its regulation proposed in the *National Plan NPRM*. Thus, the 25 kHz offset plan was adopted and recommended in the *National Plan R&O*.

As shown in Figure B-2, 50 out of 54 comments received supported the recommendation. This element of the National Plan incited the most comments, in fact 90 percent of the entities submitting comments referenced this aspect of the plan. The four entities that disagreed with the 25 kHz offset plan provided no rationale for their decision.

Mutual Aid Channels. The National Plan recommends the creation of five mutual aid channels nationwide within the 6 MHz of newly allocated spectrum. These channels would consist of four tactical channels and one National Public Safety Calling Channel. The National Plan also concluded that “the operation and management of these channels would be identified within the respective regional plans.” These channels would ultimately be available for local, state, and federal disaster management and other emergency services. However, regions would have the option to include any local public safety disaster relief or emergency management services in the regional mutual aid network. The National Plan further recommended the following:

- All mobile and portable radios will be equipped to operate on the five channels.
- Manufacturers “are required to include interoperability channels in all equipment using the new 800 MHz channels.”

- Channel assignments adjacent to the five mutual aid channels will be spaced no closer than 25 kHz.
- These channels should operate in the conventional mode (non-trunked) with tone coded squelch at a standard frequency of 156.7 Hz to minimize the effects of intermodulation interference.

As shown in Figure B-2, out of 37 responses received regarding the creation of nationwide mutual aid channels, 34 agreed with this action. The entities that did not support this recommendation raised the issue that these channels could better be used by local officials to satisfy a region's specific frequency requirements. In addition, several comments referenced the issue of requiring manufacturers to include the new "interoperability channels" in all new equipment using the new 800 MHz channels. Sixteen out of 17 responses regarding levying requirements for manufacturers of 800 MHz equipment agreed that new equipment should include the new "NPSPAC" channels. The entities that agreed with this requirement stated that they believed it would undermine the intention of the requirement if newly produced equipment operating in the new 800 MHz channels could not access the nationwide mutual aid channels. The one agency that disagreed with this proposal believed that the new requirements would create a drastic increase in the cost of new 800 MHz equipment.

Trunking. The National Plan recommends that all entities using more than four channels be required to implement trunked systems, and any entities using four channels or fewer be allowed to use conventional systems. With regard to exceptions, the National Plan states "exceptions, will not be granted routinely . . . strong evidence showing why trunking is unacceptable must be presented in support of any request for exception." To overcome the use of incompatible commercial trunked systems, the Plan further states that "trunked systems will be required . . . to operate in a conventional and compatible mode on the intercommunication channels . . . and will thus provide a common interface between different types of trunked systems."

Out of 45 responses received regarding federally mandated trunking, 14 agreed with the recommendation. This technical standard of the National Plan was proved the only one in which the majority of commenting entities disagreed with the Plan's recommendation. Most of the negative comments suggested allowing regional committees the power to mandate trunking on a case-by-case basis. Most entities felt regional interest would be lost if trunking technology was mandated at the federal level. Many of the entities that disagreed with the recommendation used trunking technology for their systems and supported the use of spectrally efficient technologies. However, these entities did not believe that the Federal Government should mandate the use of this technology. Various reasons were given for the opposition to mandated trunking, including the following:

- Trunked systems typically experience high delay factors during heavy usage periods.
- Trunked systems are expensive.

- National mandates on trunking technology ignore regional requirements.

Most public safety entities commented that exceptions to mandated trunking should be granted more regularly than is stated in the National Plan. Those entities that agreed trunking technology should be mandated at the national level added that their entities should be granted exceptions. These comments were categorized as dissenting votes. This aspect of the plan was the second most referenced regulation in regard to the total number of comments received. Despite the large number of public entities that opposed mandated trunking, the FCC decided to include the requirement in the National Plan so that spectrally efficient technologies would be used when possible. The FCC believed those entities that simply could not use trunking technology could apply for waivers.

Loading Standards. The National Plan recommended applying existing 800 MHz loading standards to the new public safety channels. The Plan further stated waivers would be issued when a compelling case was presented to the FCC. Despite NPSPAC's recommendation to develop new loading standards for the new channels, the FCC decided to continue using the existing loading standards. In refusing NPSPAC's recommendation, the FCC stated there was "no basis on which to apply a standard different from the standard for existing public safety services authorized in the 800 MHz band."

Out of only eight responses regarding loading standards, seven agreed with the recommendation. The vast majority of public safety entities that submitted comments to the National Plan did not refer to this requirement.

Eligibility in the National Public Safety Plan Process. As a part of providing a manageable framework, the National Plan proposed dividing the United States and its territories into regions. The original *National Plan R&O* document had divided the United States into 48 regions. In conjunction with the policies originally stated within the *National Plan NPRM*, the National Plan stated that each region would be instructed to develop a regional plan, the content of which would be governed by the National Plan. To expedite the formation of these regional plans, the National Plan proposed the formation of regional committees. The membership of these committees would consist of "public safety authorities," which the National Plan defined as "entities licensed in the Public Safety Radio Services and the Special Emergency Radio Services (SERS)." This definition had first been proposed in the *National Plan NPRM*. Numerous comments were received concerning this definition. Many public safety entities disagreed with classifying SERS as a public safety authority. These entities argued that SERS included such services as school bus services and trash collecting services within their regions. These public safety entities proposed that SERS not be included within the "public safety umbrella." The final version of the National Plan, in response to these comments, stated that the "regional planning committees are in the best position to determine which services are of the greatest importance to public safety in their regions." Therefore, the National Plan allowed regional committees to define eligibility requirements for participation in the regional planning process within their specific regions.

As shown in Figure B-2, out of 27 responses received concerning eligibility requirements, 23 comments supported this regulation. In total, 60 entities and individuals provided comments to at least one aspect of the National Plan.

B.6.2 Regional Planning Process Presented in the National Public Safety Plan

The National Plan, in addition to recommending technical standards, proposed a process by which the newly available spectrum could be assigned. This process involved dividing the United States into separate regions. As part of the requirements of the *National Plan NPRM*, the NPSPAC was tasked to provide recommendations for specific regional boundaries. Within the *National Plan R&O*, the FCC stated its agreement with the proposed NPSPAC regions and proposed only minor changes. Despite NPSPAC's suggestion that the United States be divided into 54 regions, the National Plan suggested only 48 regions and that Texas be considered a single region. This was in contrast to the NPSPAC proposal, which divided Texas into six separate regions, in which regional boundaries were determined by distinct geographical and operational characteristics. The NPSPAC had also recommended an interstate regional boundary along Lake Michigan consisting of portions of Illinois, Indiana, Michigan, and Wisconsin. The FCC decided that these boundaries suggested by the NPSPAC were ambiguous, and it divided these areas to their respective state jurisdictions. In proposing these modifications to the NPSPAC plan, the FCC explained its primary considerations in defining regions were to define regions so there were no ambiguities regarding the area included and to include all land areas of the United States, including Puerto Rico and the Virgin Islands.

In the *National Plan R&O*, the FCC also explained that it would “consider changes to the regional boundaries, provided the regional planning chairmen in the affected regions agree to the changes.” Due to overwhelming support for the regional boundaries proposed within the NPSPAC *Final Report*, the FCC issued a *Memorandum Opinion and Order in the Matter of the Development and Implementation of a Public Safety National Plan and Amendment of Part 90 to Establish Service Rules and Technical Standards for Use of the 821-824/866-869 MHz Bands by the Public Safety Services (Regional Boundaries MO&O)* in March 1988. The *Regional Boundaries MO&O* adopted a regional boundary plan consisting of 55 regions. These regions are shown in Figure B-3. Table B-2 provides a detailed listing of the area included within each regional boundary.

The Recommended Process for Developing Regional Plans. Once the National Plan established regional boundaries, it set forth a process for developing regional plans. The FCC emphasized in the *National Plan R&O* that regions would have to work together to coordinate their respective regional plans. Emphasis was placed on inter-regional as well as intra-regional coordination. The FCC also reiterated that, for the process to be effective, participation within the regional planning committees should be widespread and open to non-government entities.

The *National Plan R&O* stated that the Associated Public-Safety Communications Officials International, Inc. (APCO), “acting under its frequency coordination responsibilities, will be responsible for convening a meeting to initiate the planning process in each region.” APCO was instructed to choose a “convenor” for each region whose responsibilities would include

organizing and publicizing the first planning meeting. It was requested that APCO provide the Chief of the FCC's Private Radio Bureau with a listing of all convenors, nationwide, within 45 days of the release date of the *National Plan R&O*. Each convenor was then responsible for organizing the initial planning meeting in each region and was instructed to allow at least 60 days for public notification to ensure the maximum amount of participation possible. Any parties interested in attending this meeting were instructed to contact the convenor.



Figure B-3
The Final Regional Breakdown of the United States and Its Territories Proposed in the National Plan

Table B-2
Geographical Description of Each Region

Region Number	Description of Geographical Area Contained Within Each Region
1	Alabama
2	Alaska
3	Arizona

Region Number	Description of Geographical Area Contained Within Each Region
4	Arkansas
5	Southern California
6	Northern California
7	Colorado
8	New York City Metropolitan Area
9	Florida
10	Georgia
11	Hawaii
12	Idaho
13	Illinois
14	Indiana
15	Iowa
16	Kansas
17	Kentucky
18	Louisiana
19	New England
20	Washington, D.C. Metropolitan Area, including Maryland
21	Michigan
22	Minnesota
23	Mississippi
24	Missouri
25	Montana
26	Nebraska
27	Nevada
28	Philadelphia Metropolitan Area, including New Jersey and Delaware
29	New Mexico
30	Eastern New York (Albany)
31	North Carolina
32	North Dakota
33	Ohio
34	Oklahoma
35	Oregon
36	Western Pennsylvania
37	South Carolina
38	South Dakota
39	Tennessee
40	Northeastern Texas
41	Utah
42	Virginia
43	Washington

Region Number	Description of Geographical Area Contained Within Each Region
44	West Virginia
45	Wisconsin
46	Wyoming
47	Puerto Rico
48	Virgin Islands
49	Austin Metropolitan Area
50	El Paso Metropolitan Area
51	Houston Metropolitan Area
52	Lubbock Metropolitan Area (North Texas)
53	San Antonio Metropolitan Area
54	Chicago Metropolitan Area
55	Buffalo Metropolitan Area (Western New York)

The agenda of each initial meeting included elections for a regional chairman, chosen from among the membership. Once a chairman was elected, each regional committee was then responsible for adopting a set of operating procedures to govern its operations and ensure that all participants were treated fairly in the planning process.

Committees were instructed to use the National Plan criteria, local needs, and inter-regional considerations in developing their regional plans. Once the regional plans were completed multiple copies of the document were forwarded by the regional chairman to the Secretary, FCC, Washington, DC 20554.

The Recommended Contents of the Regional Plans. The National Plan listed the following elements, which were the minimum requirements included for each regional plan:

- A cover page that associated the regional plan with its defined region
- The name of the regional planning chairman, including his or her mailing address and telephone numbers
- A summary of the major plan elements
- A general description of how the spectrum would be assigned among the various eligible users within the region
- An explanation of how the requirements of all eligible entities within the region were considered and met to the greatest degree possible
- An explanation of how eligible entities were prioritized in those areas where not all entities can receive licenses

- An explanation of how the plan was coordinated with adjacent regions
- A description of operational issues
 - An explanation of how interoperability channels would be managed within the region
 - A description of the provisions that were made to ensure that these channels would work and be managed effectively across regional boundaries
- A detailed description of how the plan would put the spectrum to the best possible use by requiring system design with minimum coverage areas, assigning frequencies to allow maximum frequency reuse and offset channel use, using trunking, and requiring small entities with minimal requirements to join together on a single system where possible.
- The signature of the regional planning chairman.

All of the above issues had to be addressed by each regional plan for it to be considered by the FCC. These 10 topics provided a template on which all regional plans would be based.

The Recommended Review Process for Regional Plans. Once a regional plan was completed and submitted to the FCC for approval, the FCC then placed the regional plan on public notice and solicited comments. Any parties wishing to comment to the regional plan had 30 days to do so and 15 days to reply to any comments that had been filed. In addition to considering the comments received with regard to each regional plan, the FCC examined each plan to ensure that it satisfied the following criteria:

- Public safety needs had been fully addressed and satisfied to the highest degree possible
- The region had promoted the efficient use of spectrum.
- The region had coordinated with adjacent regions
- All requirements of the National Plan had been satisfied.

Based on these criteria, each regional plan was either accepted or rejected by the Private Radio Bureau and the Office of Engineering and Technology. If a regional plan was rejected, it was returned to the regional planning chairman with reasons for its rejection.

The NPSPAC had recommended in its *Final Report* that a regional plan review committee (RPRC) be established “to provide guidance and assistance in developing regional plans, to mediate inter-regional resolution of problems that may arise, and to consider modifications to regional plans that may be necessary to satisfy future operational requirements.” The NPSPAC

further recommended that the RPRC meet annually to monitor the progress of the regional planning process, consider any proposed changes, and send its recommendations to the FCC. Although the FCC supported the idea of creating such a committee and stated that the public safety community was “free to establish such a committee” if it wished to do so, the RPRC was never established.

Once a regional plan was approved, modifications could be submitted in writing to the FCC by the regional planning chairman or APCO. These proposed modifications would then be given prompt public notice, and comments would be solicited. The National Plan provided no timetable in regard to submitting modifications to approved regional plans.

The Recommended Policy for Vacated Frequencies. One of the primary goals of the National Plan was to develop a process to promote the efficient use of available public safety spectrum. In keeping with this directive, the National Plan recommended guidelines and timetables that would provide public safety entities with incentives to fully utilize all of their spectrum resources in a timely manner. The additional 6 MHz of spectrum for public safety was not acquired with the intention of creating an even larger pool of frequencies for use the public safety community’s use. This new allocation was seen as useful spectrum that the public safety community could use, thus vacating the spectrum from which these entities would migrate.

To ensure that public safety entities did not unnecessarily hold old, unused frequency channels, the National Plan established a policy for retaining those frequencies. The FCC expected that any public safety entity shifting its operations to the new 800 MHz channels would make every effort possible to give up its older frequency channels. The NPSPAC *Final Report* suggested that when the following three criteria were met, public safety entities would be required to surrender their vacated frequencies:

- The new system fully replaced the functions of the old system
- The licensee had no other communications requirements that could be met through the use of the lower frequencies
- The new system operated satisfactorily for a long enough period of time to allow a smooth transition from former operations and to demonstrate the system’s reliability.

The NPSPAC *Final Report* further proposed that “reassignment of vacated frequencies to public safety entities be accomplished on a regional level.” The FCC did not officially adopt these criteria as part of the *National Plan R&O* regulations composing the National Plan. Thus, the National Plan provides no official criteria for retaining frequencies.

In comments in reference to the *National Plan NPRM*, most public safety entities did not agree with the National Plan’s stated policy on vacated frequencies. Comments received regarding the *National Plan NPRM* and the *National Plan R&O* have been translated into a numerical analysis, which is illustrated in Figure B-4. As shown in this bar graph, out of 37 comments on this aspect of the National Plan, only 11 agreed with the Plan’s stated policy

concerning vacated frequencies. Those individuals who disagreed with this policy remarked that some entities were using the new 800 MHz spectrum to augment their current capabilities and were not replacing those capabilities entirely. Others who disagreed with the recommendations pointed out that some smaller entities did not have the funding to switch entirely to the new 800 MHz spectrum in the allotted time frame. Several of those providing comments stated that, if the vacated channels were “given up,” those channels should be provided to other public safety entities by the regional committees. Many entities that agreed with the National Plan’s stated policy suggested this same approach.

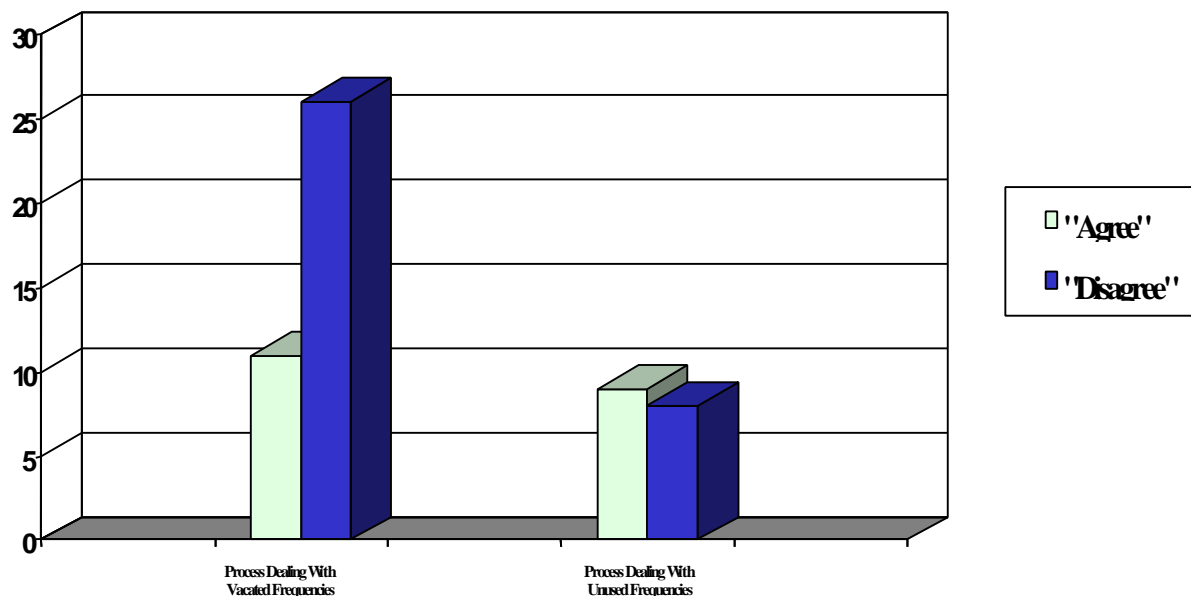


Figure B-4
Graphical Breakdown of Comments Concerning Vacated and Unused Frequencies

The Recommended Policy for Unused Frequencies. The National Plan also proposed a policy to address the frequency channels within the new 800 MHz allocation that were left unused. The policy stated that, after 5 years, the FCC would “...reassess the state of development of regional plans and the amount of unused spectrum. If no plan has been submitted for a particular region... [the unused spectrum] will be opened for inter-category sharing. Additionally, spectrum not identified for use in a region having a plan may be made available for inter-category sharing.”

This reallocation plan was markedly different from the intricate plan proposed by the NPSPAC. The NPSPAC proposal suggested that 2 years after the adoption of the National Plan the public be notified of which regions had plans that had been approved or submitted. From this point, a 3-year deadline would be set for all regions that had not submitted plans. After this three year period, 50 percent of the spectrum would be reallocated for those regions that still had not submitted plans. After the second deadline—5 years after the first deadline—30 percent of the remaining spectrum allotment would be reallocated. Finally, the remaining 20 percent of allotted spectrum would be held in reserve for future public safety communications requirements. Within its *Final Report*, NPSPAC concluded that any region not using the newly allocated 800 MHz

spectrum within the specified time frame would be assumed capable of meeting its present and future public safety needs with its existing system.

The NPSPAC proposed this plan to provide public safety entities with enough time to acquire funding and determine each agency's spectrum requirements. The NPSPAC stated in its *Final Report* that the FCC's time constraints, stated in the *National Plan NPRM*, were too harsh and unrealistic. However, the FCC believed that the time frame projected within the National Plan was adequate.

Slightly more than half of those individuals providing comments regarding this aspect of the National Plan, agreed with the Plan's stated policy. Only 17 comments referred to this aspect of the Plan, and very few qualitative comments were provided in regard to this policy.

The public safety community concurred with most of the policies, regulations, and technical standards proposed within the National Plan. With the public safety community in general agreement, the regional planning process began in earnest with the official release of the National Plan. Figure B-5 illustrates the National Plan planning and management process.

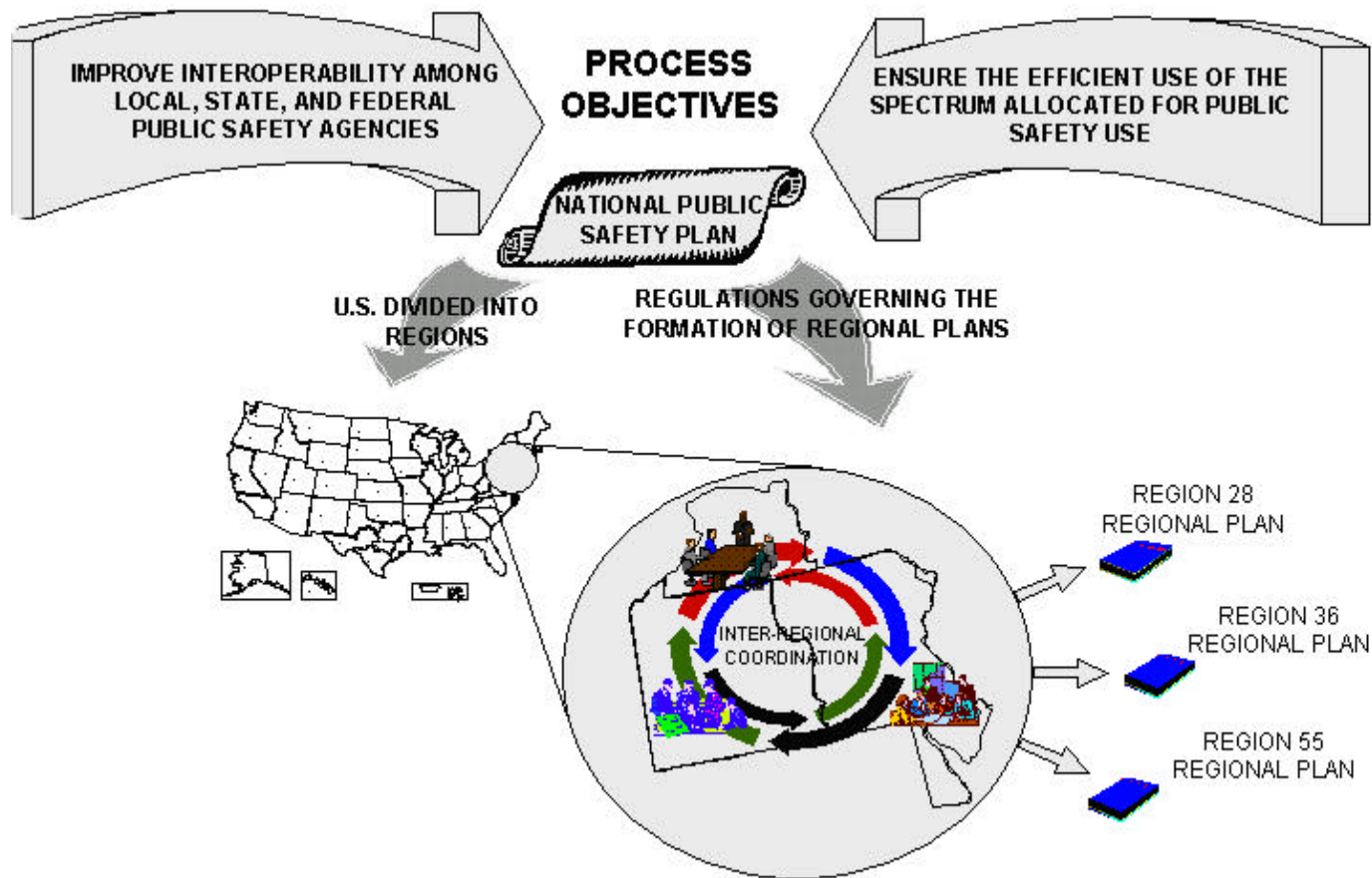


Figure B-5
National Plan Planning and Management Process